

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

ORDER  
08-CR-195

CHRISTOPHER MARANDOLA,

Defendant.

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This case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1). Defendant filed a motion to suppress physical evidence. On May 3, 2010, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that the defendant's motion to suppress be denied in its entirety. Defendant filed objections to the Report and Recommendation on June 20, 2010 and the government filed a response thereto. Oral argument on the objections was held on August 10, 2010.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a de novo determination of those portions of the Report and Recommendation to which objections have been made. Upon a de novo review of the Report and Recommendation, and after reviewing the submissions and hearing argument from the parties, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, defendant's motion to suppress physical evidence is denied. The parties shall appear for a status conference at 9:00 a.m on September 10, 2010.

SO ORDERED.

*s/ Richard J. Arcara*

HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT JUDGE

DATED: September 9, 2010